IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI JUSTICE N.V. RAMANA

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WRIT PETITION NO : 17279 of 1995

Between:

V.RAGHURAM REDDY S/O.SAI REDDY, R/O.VEDIREPALLY VILLAGE
THIMMAJIPET MANDAL, MAHABUBNAGAR DISTRICT

..... PETITIONER

AND

1 GOVT. OF A.P., REP. BY ITS SECRETARY, CO-OPERATIVE DEPT.
SECRETARIAT BLDG, HYDERABAD.
2 THE COLLECTOR (DIST.ELECTION AUTHORITY)
MAHABOOBNAGAR DISTRICT
3 THE JOINT REGISTRAR/DIST. CO-OP. OFFICER , MAHABUBNAGAR
4 THE ELECTION OFFICER, PRIMARY AGRICULTURAL CO-OP,
.SOCIETY, MAHABUBNAGAR DISTRICT

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to ISSUE A WRIT, ORDER OR DIRECTION, MORE PARTICULARLY ONE IN THE NATURE OF WRIT OF MANDAMUS DIRECTING THE RESPONDENTS HEREIN TO CONTINUE THE ELECTION PROCESS OF PRIMARY AGRICULTURAL COOPERATIVE SOCIETY, GORITA BY DECLARING THE ORDER OF THE RESPONDENTS HEREIN RELATING TO POSTPONENT OF ELECTIONS OF PACS., GORITA, AS ILLEGAL, BOID AND WITHOUT JURISDICTION BY DECLARING RULE 22-AAA OF A.P.COOP. SOCIETIES RULES, 1964 AS ULTRA VIRES AND CONTRARY TO SPIRIT OF ARTICLE 329,14,AND 43 OF CONSTITUTION OF INDIA AND THE PROBISIONS OF A.P.COOP.SOCIETIES, ACT.

Counsel for the Petitioner: MR.P.VENKAT RAMA REDDY

Counsel for the Respondents: GP FOR COOPERATION

The Court made the following :

ORDER:

The petitioner by way of writ of Mandamus seeks a direction to the respondents to continue the election process of Primary Agricultural Cooperative Society, Gorita by declaring the order of the respondents relating to postponement of elections of P.A.C.S., Gorita as illegal and void by declaring Rule 22-AAA of Co-op. Societies Rules, 1964 as ultra vires.

Even though the writ petition was admitted on 02-8-1995, no counter affidavit is filed by the respondents. Be that as it may, by lapse of time, the cause in the writ petition does not survive for adjudication and it has become infructuous, for the reason that the relief sought for by the petitioner is to continue the election process of P.A.C.S, Gorita, as per the election notification issued under Rule 22(4) (a) by the fourth respondent indicating election programme commencing from 20-7-1995 to 30-7-1995.

Accordingly, the writ petition is dismissed as having become infructuous. No order as to costs.

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N.V. RAMANA, J

Dt. 12-10-2004

KVRK

To

1 THE SECRETARY, CO-OPERATIVE DEPT. GOVT. OF A.P.

SECRETARIAT BLDG, HYDERABAD.
2 THE COLLECTOR (DIST.ELECTION AUTHORITY)
MAHABOOBNAGAR DISTRICT
3 THE JOINT REGISTRAR/DIST. CO-OP. OFFICER , MAHABUBNAGAR
4 THE ELECTION OFFICER, PRIMARY AGRICULTURAL CO-OP,
.SOCIETY, MAHABUBNAGAR DISTRICT

5. TWO CCS TO G.P.FOR COOPERATION, HIGH COURT BUILDINGS,

HYDERABAD, (OUT)

6. TWO CD COPIES.

HON'BLE SRI JUSTICE N.V. RAMANA

W.P.NO. 17279 OF 1995

12th OCTOBER 2004